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Attorneys for Plaintiff  
SONJA ALVAREZ

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

SALVADOR SILVA, DECEASED, by and through )  
his Successor in Interest, SONJA ALVAREZ, )  
SONJA ALVAREZ, Individually, )

Plaintiff,

vs.

SAN JOAQUIN COUNTY, a public entity; SAN )  
JOAQUIN COUNTY SHERIFF-CORONER )  
PATRICK WITHROW, in his individual and official )  
capacities; ROBERT HART, M.D.; FOZIA NAR, )  
L.V.N.; MARY CEDANA, R.N.; SARAI )  
HARDWICK, L.V.N.; CYNTHIA BORGES- )  
ODELL, MFT; NICHOLE WARREN, P.T.; )  
MANUEL RODRIGUEZ-GALAVIZ, MFT; )  
MARICEL MAGAOAY, L.V.N.; MANDEEP )  
KAUR, R.N.; CHERYL EVANS, A.S.W.; )  
CHRISTEL BACKERT, FNP; ROBYN MENDOZA, )  
NP, and DOES 1–20; individually, jointly, and )  
severally, )

Defendants.

Case No. 2:20-cv-01461-JAM-KJN

**STIPULATION AND ORDER TO  
MODIFY SCHEDULING ORDER  
(ECF Nos. 10, 21)**

1 All parties, by and through their counsel of record, stipulate and hereby move this Court to  
2 modify its November 2, 2020, and March 17, 2022, Scheduling Orders (ECF Nos. 10, 21). Good  
3 cause exists to grant the requested extension:  
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5 1. This is a civil rights, wrongful death, and survival action arising from the suicide of  
6 pretrial detainee, Salvador Silva, on August 1, 2019, at the San Joaquin County jail. This is the  
7 parties' second request for a continuance. The parties only initially requested a continuance related  
8 to expert disclosures and expert discovery. Following the Court's guidance, the parties stipulate to  
9 modify the scheduling order in accordance with the proposed schedule provided by the Court, with  
10 slight modifications.  
11

12 2. This case involves thirteen named Defendants. The parties have exchanged  
13 voluminous written discovery and have resolved several discovery disputes by extensively meeting  
14 and conferring. Due to counsels' trial and trial preparation schedules, time limitations on  
15 Defendants' depositions created by their work schedules, and preplanned international travel for  
16 counsel for each side for significant events (including the 25<sup>th</sup> wedding anniversary of Plaintiff's  
17 counsel, Michael J. Haddad and Julia Sherwin, and an international trip for defense counsel Gregory  
18 R. Aker that was postponed due to COVID-19), the parties had difficulty scheduling depositions in  
19 this matter. The parties have now completed two depositions and have scheduled four more  
20 depositions for next month and are holding dates among counsel in November for further  
21 depositions.  
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23 3. Once the depositions are completed, the parties' experts need time to review the  
24 transcripts in order to prepare their reports.

25 4. Additionally, Plaintiff's counsel's small law firm has had repeated COVID-19  
26 infections among some of its staff, while completing voluminous fact and expert discovery, and  
27 dispositive motions, in several other cases, all of which are complex wrongful death or catastrophic  
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injury cases. Two of those cases, *Johnson v. Shasta County, et al.* (E.D. Cal. 2:19-cv-01722-JAM-DB), and *Barbosa v. Shasta County, et al.* (E.D. Cal. 2:20-cv-02298-JAM-DMC), are before this Court.

5. The parties are represented by experienced counsel who will continue to work cooperatively together.

6. Having consulted with the Court, and following its guidance about available dates, the parties therefore request a continuance of the deadlines, as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Expert Disclosures	January 27, 2023	April 14, 2023
Rebuttal Expert Disclosures	February 10, 2023	May 5, 2023
Joint Mid-Litigation Statement	March 15, 2023	June 2, 2023
Expert Discovery Cutoff	March 29, 2023	June 16, 2023
Fact Discovery Cutoff	March 29, 2023	June 16, 2023
Dispositive Motion Filing	May 9, 2023	July 7, 2023
Dispositive Motion Hearing	July 11, 2023, at 1:30 p.m.	September 12, 2023 at 1:30 p.m.
Final Pretrial Conference	August 25, 2023, at 10:00 a.m.	October 27, 2023 at 10:00 a.m.
Trial	October 9, 2023, at 9:00 a.m.	December 4, 2023

For the foregoing reasons, the parties respectfully request that this Court enter an order extending the Scheduling Order in this case as set forth above.

1 Dated: October 18, 2022

HADDAD & SHERWIN LLP

2  
3 */s/ Teresa Allen*

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TERESA ALLEN

Attorneys for Plaintiff

5 Dated: October 18, 2022

BURKE, WILLIAMS & SORENSON, LLP

6  
7 */s/ Gregory B. Thomas*

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GREGORY B. Thomas

9 Attorneys for Defendants  
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**ORDER**

Based on the parties' stipulation, and with good cause appearing,

IT IS HEREBY ORDERED that the Pretrial Scheduling Order (ECF Nos. 10, 21) is modified as follows:

<b><u>Event</u></b>	<b><u>Current Date</u></b>	<b><u>New Date</u></b>
Expert Disclosures	January 27, 2023	April 14, 2023
Rebuttal Expert Disclosures	February 10, 2023	May 5, 2023
Joint Mid-Litigation Statement	March 15, 2023	June 2, 2023
Expert Discovery Cutoff	March 29, 2023	June 16, 2023
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Final Pretrial Conference	August 25, 2023, at 10:00 a.m.	October 27, 2023 at 10:00 a.m.
Trial	October 9, 2023, at 9:00 a.m.	December 4, 2023 at 9:00 a.m.

All other dates will remain the same.

IT IS SO ORDERED.

Dated: October 19, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE